

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MICHAEL VAN BAALEN,

Plaintiff,

v.

MUTUAL OF OMAHA INSURANCE  
COMPANY, ANDREW TODD SHADER,  
JOSHUA HANLEY, AFFORDABLE  
INSURANCE GROUP INC. and JANE DOES  
1-5,

Defendants.

Case No. 1:23-cv-00416 DHU-SCY

**UNOPPOSED MOTION TO VOLUNTARILY DISMISS  
DEFENDANT MUTUAL OF OMAHA INSURANCE COMPANY**

Plaintiff Michael Van Baalen (“Plaintiff”), by and through his undersigned counsel, hereby moves, unopposed, to voluntarily dismiss all claims made by Plaintiff against Defendant Mutual of Omaha Insurance Company (“MOIC”) in the above-captioned matter with prejudice, with each party to bears its own fees and costs. This motion is only as to MOIC, and this matter will proceed against the remaining defendants. Pursuant to D.N.M. LR-Civ. 7-1(a), counsel for Plaintiff conferred with counsel for all parties, who indicated they do not oppose the relief sought herein.

WHEREFORE, the Court is requested to enter its Order dismissing MOIC from this litigation with prejudice, and to grant such other and further relief as the Court finds proper.

Respectfully Submitted,

By: /s/ Sid Childress

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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I caused this document and all Exhibits to be served in accordance with D.N.M.LR-CIV.  
5.1 by filing it through the Court's CM/ECF electronic filing system

By: /s/ Sid Childress